

THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

DAVID J. CATANZARO,

Plaintiff,

v.

LYKART TECHNOLOGIES

LLC, ET AL.,

Defendants.

Case No. 3:22-cv-1754-JFS-PJC


Judge Joseph F. Saporito, Jr.

Referred to: Phillip J. Caraballo

JURY TRIAL DEMANDED

FILED  
SCRANTON

AUG 04 2025

PER  DEPUTY CLERK

**BRIEF IN SUPPORT OF PLAINTIFF'S MOTION TO STAY PROCEEDINGS**

**PENDING APPELLATE REVIEW**

Plaintiff respectfully submits this short brief in support of his Motion to Stay all further proceedings in this matter pending resolution of his Petition for Writ of Mandamus currently before the U.S. Court of Appeals for the Third Circuit.

**I. INTRODUCTION**

Plaintiff has filed a Petition for Writ of Mandamus in the U.S. Court of Appeals for the Third Circuit seeking extraordinary relief concerning judicial conduct, procedural imbalance, and the transfer of venue under 28 U.S.C. § 1406(a). The petition directly implicates this action and its companion case, *Catanzaro v. Walmart Stores, Inc., et al.*, Case No. 3:22-cv-01768. Proceeding further in this Court while the petition remains pending risks conflicting outcomes, undermines appellate review, and may compound the very harm the petition seeks to remedy.

**II. LEGAL STANDARD**

District courts have broad discretion to stay proceedings to promote judicial economy and prevent inconsistent rulings. A stay is appropriate where appellate review may narrow or moot pending issues. *Landis v. North American Co.*, 299 U.S. 248, 254 (1936).

### III. ARGUMENT

A temporary stay will conserve judicial resources and prevent piecemeal adjudication. Plaintiff's mandamus petition challenges, among other things, the procedural handling of dispositive motions, factual inaccuracies in prior orders, and the need to transfer venue to the Western District of Pennsylvania. These issues directly impact how and where this case should proceed.

A temporary stay of proceedings will not result in any prejudice to Defendants. By contrast, Plaintiff risks further irreparable harm if the Court rules while appellate review is pending. A stay will ensure that appellate review proceeds in an orderly and meaningful manner, without undermining its potential impact.

### IV. CONCLUSION

For the foregoing reasons, Plaintiff respectfully requests that this Court stay all proceedings in this case pending resolution of his Petition for Writ of Mandamus before the Third Circuit.

Respectfully submitted,

Date August 4, 2025

Respectfully submitted,

A handwritten signature in black ink, appearing to read "David J. Catanzaro", written over a horizontal line.

David J. Catanzaro  
Plaintiff pro se  
286 Upper Powderly Street  
Carbondale, PA 18407  
Phone: (570) 936-9262  
E-Mail: davidjosephus@aol.com

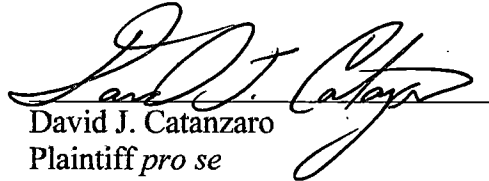
### CERTIFICATE OF SERVICE

I hereby certify that on August 4, 2025, I caused a true and correct copy of the foregoing **BRIEF IN SUPPORT OF PLAINTIFF'S MOTION TO STAY PROCEEDINGS PENDING APPELLATE REVIEW** to be served via email, in accordance with the parties' agreement for reciprocal email service, to all counsel of record on the docket.

**For Unrepresented Defendants:** The following two defendants have not appeared in this case and are not represented by counsel. Copies of the foregoing document were served via First Class U.S. Mail to the last known business address shared by both entities: **Lykart Technologies, LLC. and GrowKart**

These defendants are currently in procedural **default**, and Plaintiff reserves the right to move for entry of default as appropriate.

Date August 4, 2025

  
David J. Catanzaro  
Plaintiff *pro se*  
286 Upper Powderly Street  
Carbondale, PA 18407  
Phone: (570) 936-9262  
E-mail: [davidjosephus@aol.com](mailto:davidjosephus@aol.com)